

REMARKS

I. Status

The Office Action indicates claims 24-65 to be pending in this Application.

The specification is objected to.

Claims 24-65 are rejected under 35 U.S.C. 102(e) as being anticipated by McCarthy (U.S. Patent No. 6,904,408).

Claims 24, 35, 44, 55, 64, and 65 are independent.

II. Objection to the Specification

The Office Action objects to the specification, the Office Action stating that:

“[t]he specification of the disclosure is objected to because:

i.e.: www.nokia.com; www.demogames.com;
<http://www.statistics.com>

Correction is required. See MPEP § 608.01(b)”
(see Office Action p. 2).

However, noting that MPEP 608.01 states that:

“[w]here the hyperlinks and/or other forms of browser-executable codes themselves rather than the contents of the site to which the hyperlinks are directed are part of applicant’s invention and it is necessary to have them included in the patent application in order to comply with the requirements of 35 U.S.C. 112, first paragraph, and applicant does not intend to have these hyperlinks be active links, examiners should not object to these hyperlinks. The Office will disable these hyperlinks when preparing the text to be loaded onto the USPTO web database”
(see MPEP 608.01),

Applicants respectfully submit, for instance, that the portions of the specification pointed to by the Office Action are not intended to be active links.

In view of at least the foregoing, Applicants respectfully request that the objection be withdrawn.

III. Rejection of Independent Claims 24, 35, 44, 55, 64, and 65 under 35 U.S.C. 102

The Office Action rejects independent claims 24, 35, 44, 55, 64, and 65 under 35 U.S.C. 102(e) as being anticipated by McCarthy.

However, Applicants respectfully submit that McCarthy fails, for example, to disclose, teach, or suggest:

“... selecting data, wherein selection is based upon one or more of the measurement values corresponding to the monitoring of the interaction network; and

sending the selected data over a multicast network”

as set forth in each of claims 24, 44, and 64 (emphasis added).

As another example, McCarthy fails to disclose, teach, or suggest:

“... receiving, over a multicast network, selected data through a local proxy ...

wherein selection of the data is based upon one or more of the measurement values corresponding to the monitoring of the interaction network”

as set forth in each of claims 35, 55, and 65 (emphasis added).

The Office Action, apparently equating “selecting data, wherein selection is based upon one or more of the measurement values corresponding to the monitoring of the interaction network” and “wherein selection of the data is based upon one or more of the measurement values corresponding to the monitoring of the interaction network” of the claims with McCarthy’s discussion that:

“[t]he eScore profile notes John has a desire to be assertive and choose the media choice is ‘when assertive interactive threshold is reached chosen media is designed to meet consumer’s content desire with a theme that suites the consumers self determination personality.’ System is recording and responding with recommendation based on the real time user responses clickstream browser activity and physiologic signals that indicate acceptance or rejection of media prompts. Profile (legacy data) and context are used to select follow-up media prompts and content themes in response to physiologic and viewer reactions (browser activities) observed by the system”
(see McCarthy col. 37 ln. 52-64),

apparently contends that the above-identified of the claims is disclosed among column 10 line 34, column 14 line 46, column 30 lines 43-52, column 37 lines 43-64, column 41 lines 25-30, and column 41 lines 35-40 of McCarthy, the Office Action apparently equating the “interaction network” of the claims with a network over which the “real time user responses clickstream browser activity” and “viewer reactions (browser activities)” of McCarthy are provided.

However, Applicants respectfully submit that even if such equations are taken to be true for the sake of argument, McCarthy would still fail, for instance, to disclose, teach or suggest that the “chosen media” and “follow-up media prompts and content themes” of McCarthy are sent over a multicast network, and instead makes it clear that they are sent over the same network via which the “real time user responses clickstream browser activity” and “viewer reactions (browser activities)” of McCarthy are provided.

Turning to the Office Action’s citation of column 14 line 46 of McCarthy, Applicants additionally respectfully observe, for example, that McCarthy’s discussion of multicast is limited to a portion of the “Background of the Invention” section indicating “Class D” to be one of the “four different address formats or classes” of IP addresses.

In view of at least the foregoing, Applicants respectfully submit that claims 24, 35, 44, 55, 64, and 65, as well as those claims that depend therefrom, are in condition for allowance.

IV. Dependent Claim Rejections

Applicants do not believe it is necessary at this time to further address the rejections of the dependent claims as Applicants believe that the foregoing places the independent claims in condition for allowance. Applicants, however, reserve the right to further address those rejections in the future should such a response be deemed necessary and appropriate.

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CONCLUSION

Applicants respectfully submit that this Application is in condition for allowance for which action is earnestly solicited.

If a telephone conference would facilitate prosecution of this Application in any way, the Examiner is invited to contact the undersigned at the number provided.

AUTHORIZATION

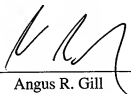
The Commissioner is hereby authorized to charge any fees which may be required for this response, or credit any overpayment to Deposit Account No. 13-4500, Order No. 4208-4041.

Furthermore, in the event that an extension of time is required, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to the above-noted Deposit Account and Order No.

Respectfully submitted,

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